

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

Vanessa McQueen,

Plaintiff,

v.

City of Cincinnati, et al.,

Defendants.

Case No. 1:20-cv-00864

Judge Michael R. Barrett

**ORDER**

This matter is before the Court on the Magistrate Judge's Report and Recommendation ("R&R") that this action be dismissed with prejudice, pursuant to 28 U.S.C. § 1915(e)(2)(B), in light of Plaintiff's failure to state a claim. (Doc. 4).

Proper notice has been given, including notice that Plaintiff would waive further appeal if she failed to file objections to the R&R in a timely manner. (*Id.* PageID 265); see *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). The Court deems Plaintiff's objections to be timely. (Doc. 5). With respect to dispositive matters, and when the Court receives timely objections to an R&R, the assigned "district judge must determine de novo any part of the magistrate judge's disposition that has been properly objected to." FED. R. CIV. P. 72(b)(3). "The district judge may accept, reject, or modify the recommended disposition; receive further evidence; or return the matter to the magistrate judge with instructions." *Id.*

The Magistrate Judge provided a comprehensive review of the record in the R&R and the same will not be repeated here. In her objections, Plaintiff asserts that each of the identified Defendants violated the Fair Housing Act, provides a timeline of events,

requests damages, and lists five laws. (Doc. 5). She explains that "[a]ll I'm begging for is a legal ground to present witnesses." (*Id.* PageID 267). Although the Court can liberally interpret Plaintiff's Complaint and objections, it cannot manufacture arguments on her behalf. *Cf. Erickson v. Pardus*, 551 U.S. 89, 94 (2007) (holding that the objections of a petitioner appearing pro se will be construed liberally). After a liberal review of Plaintiff's filings in this matter, *see id.*, the Court agrees with the Magistrate Judge that, to the extent that Plaintiff intends to state a claim, or claims, under the Fair Housing Act, or other laws, she fails to include the factual context from which the Court may reasonably infer that any of the named Defendants discriminated against her in violation of the Fair Housing Act or otherwise violated any of Plaintiff's federal or constitutional rights, *see* (Doc. 4 PageID 264).

For the foregoing reasons, it is hereby **ORDERED** that the Report and Recommendation (Doc. 4) is **ADOPTED in full**. Consistent with those recommendations, it is **ORDERED** that this action is **DISMISSED with prejudice** and, pursuant to 28 U.S.C. § 1915(a), Plaintiff is **DENIED** leave to appeal *in forma pauperis*, as an appeal of this Order would not be taken in good faith.

**IT IS SO ORDERED.**

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/s Michael R. Barrett  
Michael R. Barrett, Judge  
United States District Court